

House Bill 476
February 22, 2007
Presented by M. Jeff Hagener
House Fish, Wildlife and Parks Committee

EXHIBIT 10
DATE 2.22.07
HB 476

Mr. Chairman and committee members, for the record I am Jeff Hagener, Director of Montana Department of Fish, Wildlife & Parks (FWP). I am here to provide information regarding HB 476.

FWP issues about 10,000 special permits for elk each year. About half of these are unlimited permits, valid for archery hunting only, in three hunting districts in the Missouri River breaks. All but 25 of the permits are valid for taking either sex. In many districts special permits are used to ensure an adequate harvest of both bulls and cows to achieve management objectives. In a few districts, however, these permits are viewed as "de facto" trophy permits, because only hunters with a special permit can take a mature bull in those districts.

Competition for special permits in the latter districts is intense. The ability of some hunters, including landowners or their designees, to obtain the "de facto" trophy special permits on a frequent basis has generated a number of proposals to establish a waiting period for these permits, similar to that for special licenses for moose, sheep and goats. Uncertainty regarding FWP Commission authority to adopt a waiting period led to passage of legislation in the 2003 session which allows the FWP Commission to establish a waiting period for hunters who receive certain special elk permits. That authority is codified in 87-2-704, and can be found on page 4 of HB 476.

Based on the authority in 87-2-704, and requests from some members of the public, FWP proposed a 5-year waiting period for several special permit areas during the 2004 season-setting process. However, public input on that proposal was mixed and the commission ultimately decided not to adopt a waiting period. FWP has not proposed any waiting period since then.

With the amendments proposed by the sponsor, the main effect of HB 476 would be to place a 3-year or 7-year waiting period on all special elk permits valid for taking an antlered bull elk in statute. The amendments clear up FWP's concerns that the original bill would compromise our ability to manage elk populations or force some hunters to choose between archery and gun hunting for the entire season.